

Ngāti Hei Trust

Ko Te Ra Matiti Marae
14a Wharekaho Road,
Whitianga 3592,
Ph. [REDACTED]



10 February 2021

Request for Rāhui to be enforced under section 186A

Tena koe E Te Minita,

On behalf of Ngāti Hei ki Wharekaho, I present this letter to the Minister of Oceans and Fisheries, Hon David Parker for urgent action. In December 2020 we applied a rāhui to stop the harvest of scallops from Opito Bay, Coromandel. We are now requesting a section 186A closure for a minimum of two years to prohibit all take of scallops (tipa) within the entirety of our rohe, which extends out to the Mercury Bay Islands, and stretches from Whangapoua to Onemana on eastern Coromandel. The temporary closure under s186A of the Fisheries Act will provide statutory support for our customary rāhui. We ask you to please refer to Appendix 1.

We request the temporary closure to apply to scallops as we hear from communities along the coastline of our rohe that they have been concerned about the decline of scallop populations for years. Towns along the Eastern Coromandel are close to the coastline so scallop harvesting is a popular means to gather kaimoana.

We are also concerned around the unconstrained harvest of and overfishing of scallops, especially when environmentally poor fishing methods such as dredging are used. Overfishing, destructive fishing methods, and continuous decline in quality of the marine environment means scallops are not given sufficient room to spawn and grow.

We have sent two letters to you asking for your support for our efforts in addressing scallop depletion on the eastern Coromandel Peninsula. The letters were sent on 2 December 2020 and 26 January 2021. We have received an acknowledgement from your office, but no substantive response to our requests has been received from you.

Rāhui and Voluntary Ban:

On Thursday 17 December 2020, Ngāti Hei placed the customary tikanga practice of a rāhui over Opito Bay, which is a part of our rohe. The rāhui applies to the inshore area of Opito Bay. A voluntary ban was also placed on scallop harvesting in Opito Bay, which applies to recreational fishers and no customary permits for scallop harvesting have been issued by Ngāti Hei.

The voluntary ban is a result of successful community coordination and action, led by Ngāti Hei and supported by Opito Bay Ratepayers Association, New Zealand Sports Fishing Council, LegaSea, New Zealand Underwater Association, Mercury Bay Game Fishing Club, Tairua-Pauanui Sports Fishing Club, and Whangamata Ocean Sports Club. We have been running meetings and creating plans with these communities since October 2020, holding three meetings with all above stakeholders present until the rāhui and voluntary ban were implemented on 17 December 2020.

The voluntary ban and rāhui are reported to have been well respected by recreational fishers and the general public with very few sightings of any scallop harvesting in Opito Bay.

In addition, the community invested its resources to distribute information about the rāhui and voluntary ban through local media and communities in anticipation of the expected influx of holiday makers arriving over the summer to the eastern Coromandel Peninsula. The Coromandel area is estimated to increase by [over 100,000 people](#) during the summer. This is the primary reason we chose the summer to hold a voluntary ban on scallop harvesting, as well

as these months being peak in the scallop harvesting season. The overwhelming support and aid surrounding the rāhui and voluntary ban stems from a collective understanding that scallop stocks in eastern Coromandel have been declining for several years.

Urgent action is required before scallop beds become so diminished, that generations yet unborn will not even know the area was once not so long ago abundant with scallops.

Our rohe was traditionally known for shellfish abundance, and we as a people are determined not to fail as kaitiaki of our mātaihai. Ngāti Hei and the above named communities are committed to placing a long-term fisheries management plan around shellfish species in order for stocks to continuously self-sustain after the initial section 186A 2-year temporary closure. During this time we expect to have conversations with our communities about what controls they may want to have in place after the rāhui. For example, future controls could be no dredging, hand gathering and diving only for scallops.

Research:

The day we declared the rāhui we also announced the commencement of a citizen-science based scallop abundance dive survey. This is currently underway to establish existing scallop numbers in Opito Bay. Research results will be used in a framework for further fisheries management led by Ngāti Hei. The dive survey was coordinated by Ngāti Hei, alongside DiveZone Whitianga and [REDACTED] a scientist at Toi Ohomai Institute of Technology, and supported by Opito Bay Ratepayers Association, New Zealand Sports Fishing Council, LegaSea, New Zealand Underwater Association, Mercury Bay Game Fishing Club, Tairua-Pauanui Sports Fishing Club, and Whangamata Ocean Sports Club. We chose to do a dive-based survey to count scallops over a dredge survey, as we do not support methods that wreak havoc on seafloor habitats and do not want to encourage dredging use for scallop harvesting. We understand NIWA has been contracted by Fisheries New Zealand to also hold a scallop stock assessment survey mid-way through 2021. The issue of disappearing scallop numbers has been known for

years and we are shocked that FNZ has only now just scheduled their next scallop stock abundance survey for this year, a gap of 11 years since the 2009/10 survey. We have decided to take the matter into our own hands after a consistent lack of effort and energy by FNZ to reassess the obviously declining fishery.

Ngāti Hei and the Mercury Bay Area:

Ngāti Hei has lived at Te Whanganui O Hei - The Great Bay of Hei, our ancestral home, since time immemorial. In Arawa tradition, Hei is the eponymous ancestor of the people known as Ngāti Hei of Hauraki. Hei was a son of Atuatua, brother of Houmaitawhiti, father of Waitaha, and descendant of the legendary Te Arawa demigod Pūhaorangi. The ancient dominions of Hei spread North to Whangarei through his son Tuhukea and south to Te Waipounamu through another of his sons Waitaha, then inland to as far as Pirongia. Ngāti Hei's coastal areas have been our pataka kai. We have fished and travelled through these waters for generations.

Scallops:

Our rohe was once abundant with shellfish, and our main method of gathering scallops was to await a wash up on the beach - regarded as a gift from Tangaroa, god of the sea and ancestor of fish. Thousands of scallops would wash up on beaches, enabling us to both easily hand gather scallops and leave some for the seabirds, which we regard as a taonga and a bridge between Tangaroa, and Ranginui, the sky father. In recent years we have experienced fewer scallop wash ups along the entire coastline, with only a couple in the past decade involving much smaller numbers than expected. For us, this indicates declining scallop populations.

People have become exploitative, and no longer recognise they have to earn the right to eat Tangaroa's mokopuna. We hope one day soon future generations of Ngāti Hei will be able to hand gather scallops once again.

We request:

1. Ministerial support for our rāhui banning all scallop harvesting from Opito Bay.
2. A 2-year temporary closure to the harvest of scallops from within our rohe, under section 186A of the Fisheries Act 1996.
3. Access to the upcoming research by Fisheries New Zealand and its contractors in determining stock abundance in the Coromandel scallop fishery (SCA CS).

Please do not hesitate to contact me in regard to this correspondence.

Mauri ora,

Joe Davis

Joe Davis MNZM

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Appendix 1. Ngāti Hei Te Rohe Moana O Hei O Wharekaho